

EXHIBIT B

ANDERSON KILL P.C.

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By Hand Delivery

February 24, 2020

Clerk of the Court, Ruby J. Krajick
United States District Court
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, New York 10007

Re: BNY Mellon et al. v. Islamic Republic of Iran,
Case No.: 1:19-cv-11767 (GBD) (SN); RE: Service

Dear Clerk of the Court, Ruby J. Krajick:

I represent the Plaintiffs in the above-referenced action.

I am writing to request you effect service on the Defendant, Islamic Republic of Iran, pursuant to 28 U.S.C. §1608(a)(4), at the following address:

Minister of Foreign Affairs
Ministry of Foreign Affairs of the Islamic Republic of Iran
Iman Khomeini Avenue
Tehran, Iran
ATTN: H.E. Mohammad Javad Zarif

Service on Iran cannot be effected under 28 U.S.C. Sections 1608(a)(1) and (2) because the United States and Iran do not have any special arrangement for service of process upon Iran in accordance with sub-section (1), nor is service permitted by any applicable international convention under the provisions of sub-section (2).¹ See *Valore v. Islamic Republic of Iran*, 700 F. Supp. 2d 52, 70 (D.D.C. 2010).

On January 22, 2020, Plaintiffs, through the Clerk of the Court, attempted to serve Defendant pursuant to the provision to 28 U.S.C. §1608(a)(3). Annexed hereto as **Exhibit 1**, is a copy of the certificate of mailing.

As of Monday, February 24, 2020, over thirty (30) days passed since the certificate of mailing has been issued and service had not been able to be completed

¹ Iran is not a signatory to the convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

Anderson Kill P.C.

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under 28 U.S.C. § 1608(a)(3). Annexed hereto as **Exhibit 2**, is a true and correct copy of the USPS tracking information of the package sent by the Clerk of the Court indicating that serve has not been made. .

Accordingly please serve Defendant pursuant to 28 U.S.C. §1608(a)(4) at the following address:

U.S. Department of State
SA-29, 4th Floor, 2201 C Street NW
Washington, DC 20520.
Attn: Secretary of State, Director of Consular Services, Office of Policy
Review and Inter-Agency Liaison (CA/OCS/PRI),

Enclosed please find copies of the following documents:

1. Summons
2. Complaint deemed filed on December 27, 2019
3. Civil Cover Sheet
4. Notice of suit prepared in accordance with 22 CF § 93.2 with a copy of 28 U.S.C. 1330
5. Affidavit of translator (along with translations of the above documents)²

In total, we are providing three complete sets of the documents, in both English and Farsi. In accordance with pages 12-13 of the Court's Foreign Mailing Instructions we are providing two sets for service on Defendant and a set of documents for the Court's file.

We have also enclosed pre-paid FedEx label and envelope for delivery to the address above. Please note that our firm FedEx account number is 628354049.

We further enclose a cashier's check in the amount of \$2,275.00 made payable to "U.S. Embassy Bern."

Should you have any questions or require any additional information please do not hesitate to contact me.

Regards,

Jerry S. Goldman

Enclosures

² The affidavit of the translator comports with the requirements of NY CPLR 2101(b).

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MELLON ET AL.,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

CERTIFICATE OF MAILING

Case No.: 19-cv-11767 (GBD) (SN)

I hereby certify under the penalties of perjury that on the 22nd day of January, 2020, I served:

Minister of Foreign Affairs
Ministry of Foreign Affairs of the Islamic Republic of Iran
Imam Khomeini Avenue
Tehran Iran
Attn: H.E. Mohammad Javad Zarif

☒ the head of the ministry of foreign affairs, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(a)(3).

Two (2) copies of the Summons, Compliant filed December 27th, 2019, Civil Cover Sheet, Notice of Suit with copy of 28 U.S.C. 1330; (along with attached affidavit of translator and Farsi translations of the above documents), by USPS Reg. Mail no. RH002018004US

Dated: New York, New York
January 22, 2020

RUBY J. KRAJICK
CLERK OF COURT

/s/Shanee Mcleod
Deputy Clerk

USPS Customs Declaration and Dispatch Note

- Print in English using blue or black ink.
- Complete all **SHADED** fields before acceptance.
- See the Privacy Notice on the reverse of Copy 4.

SHIPMENT INFORMATION (CONTINUED) — BOXED AREA IS FOR USPS-USE ONLY

SENDER'S INFORMATION			USPS Official Use		USPS Corporate Account		EMS Scheduled Delivery Date	
Full Last Name		Full First Name	MI	Total Postage/Fees (U.S. \$)		Insured Value (U.S. \$)		Insured Fee (U.S. \$)
Business Name (if applicable)			Sender's Telephone					
Address-1				7. Sender's Email Address		8. Addressee's Email Address		
Address-2				9. Exporter's Reference (if applicable and known)		10. Exporter's Telephone (if applicable and known)		
City		State	ZIP Code	11. Importer's Reference (if applicable and known)		12. Importer's Telephone (if applicable and known)		
ADDRESSEE'S INFORMATION				13. AES ITN (if applicable)		14. AES Exemption — NOEEI \$ (Check one if applicable) <input type="checkbox"/> \$ 30.36 <input type="checkbox"/> \$ 30.37 (a) <input type="checkbox"/> \$ 30.37 (b) <input type="checkbox"/> \$ 30.37 (y) <input type="checkbox"/> Other		
Full Last Name		Full First Name	MI	15. License Number (if applicable)		16. Certificate Number (if applicable)		17. Invoice Number (if applicable)
Business Name (if applicable)			Addressee's Telephone		18. Length (inches)		19. Width (inches)	20. Height (inches)
Address-1				21. Restrictions (if applicable — check all that apply) <input type="checkbox"/> Quarantine <input type="checkbox"/> Sanitary/Phytosanitary Inspection		22. Nondelivery Instructions (Check one) <input checked="" type="checkbox"/> Return to Sender <input type="checkbox"/> Treat as Abandoned		
Address-2				Postal Code		23. Sender's Signature and Date		
City		State/Province	Country		I certify the particulars given in this customs declaration are correct. This package does not contain any undeclared dangerous items, or items prohibited by legislation or by postal or customs regulations. I have met all applicable export filing requirements under federal law and regulations.			
SHIPMENT INFORMATION								
1. Category of Items (Check all that apply) <input type="checkbox"/> Document <input type="checkbox"/> Commercial Sample <input type="checkbox"/> Merchandise <input type="checkbox"/> Dangerous Goods <input type="checkbox"/> Gift <input type="checkbox"/> Returned Goods <input type="checkbox"/> Humanitarian Donation <input type="checkbox"/> Other								
2. Detailed Description of Contents (Enter only one item per line)		3. Quantity	4. Net Weight: (Ea) Lbs. Oz.		5. Value: (Ea) U.S. \$	For Business Mailers, for items in Block 2 (if the information is known) 24. HS Tariff Number		25. Country of Origin
6. Total								

PS Form 2976-R, April 2016 PSN 7530-17-000-7992

IMPORTANT: This package may be opened officially

4 - Sender's Copy

Registered No. RH0020180004US		Date Stamp 0004 05	
By Post Office To Be Completed		FROM JERRY GOLDMAN 10013 ANDERSON KILL PC 1251 AVENUE OF THE AMERICAS NEW YORK, NY 10020 MINISTER OF FOREIGN AFFAIRS MINISTRY OF FOREIGN AFFAIRS OF IRAN IMAM KHOMEINI AVENUE ATTN: MOHAMMED JAVAD ZARIT TEHRAN, IRAN	
To Be Completed By Post Office		TO All Entries Must Be in Ballpoint or Typed (Please Print)	
Postage \$ \$34.75 Extra Services & Fees (continued) Extra Services & Fees <input type="checkbox"/> Registered Mail \$ \$10.00 <input type="checkbox"/> Return Receipt (hardcopy) \$ \$4.00 <input type="checkbox"/> Return Receipt (electronic) \$ \$0.00 <input type="checkbox"/> Restricted Delivery \$ \$0.00 Total Postage & Fees \$ \$54.75		Received by 01/22/2020 Customer Must Declare Full Value \$ \$0.00 Domestic Insurance up to \$50,000 is included based upon the declared value. International indemnity is limited. (See Reverse).	

Copy 1 - Customer
 (See information on Reverse)
 April 2015, PSN 7530-02-000-9051
 For domestic delivery information, visit our website at www.epsc.com

EXHIBIT 2

